


JohnJ OGrady

08/06/02 12.13 PM

To Cynthia Kawakami/R5/USEPA/US@EPA
cc. Ballotti Douglas@EPA.GOV, BRADLEY
BENNING/R5/USEPA/US@EPA, DONALD
BRUCE/R5/USEPA/US@EPA, Mary Canavan/R5/USEPA/US@EPA,
Carney Wendy@EPA GOV, Phil Hoffman/R5/USEPA/US@EPA,
Thomas Krueger/R5/USEPA/US@EPA, James
Mayka/R5/USEPA/US@EPA, Muno William@EPA GOV
Subject Re R Lavin Property 

Cynthia,

1) Yes, I would like to attend, if my presence would be useful to the meeting.

There are a number of Illinois EPA folks that should attend, as well (I will send you my list of Illinois EPA contacts, if necessary).

As you recall, I met with Mayor Thomas et al, on Tuesday, June 4th. No one else from either the U.S. EPA or Illinois EPA could make that meeting. **Here's the summary I sent out to that meeting.**

----- Forwarded by JohnJ OGrady/R5/USEPA/US on 08/06/2002 12:00 PM -----

JohnJ OGrady

06/05/2002 10:25
AM

To Thomas Krueger/R5/USEPA/US@EPA, Cynthia
Kawakami/R5/USEPA/US@EPA, epa9046@epa.state.il.us,
epa4262@epa.state.il.us, Tom.Crause@epa.state.il.us
cc: DONALD BRUCE/R5/USEPA/US@EPA, James
Mayka/R5/USEPA/US@EPA, Carney Wendy@EPA GOV, FRED
BARTMAN/R5/USEPA/US@EPA
Subject. MEETING WITH CITY OF NORTH CHICAGO

1) MEETING WITH CITY OF NORTH CHICAGO: I met with the City of North Chicago on Tuesday, June 4, 2002, at the City's offices (1850 Lewis Avenue, North Chicago, Illinois 60064). Web Site: <http://www.northchicago.org>

2) Attendees at the meeting included:

City of North Chicago

- The Honorable Bette Thomas
Mayor, City of North Chicago

Telephone: (847) 578-7778
Facsimile: (847) 578-9999

- Hasan Hakeem
Mayor's Administrative Assistant

Telephone: (847) 596.8610
Facsimile: (847) 596.8619

- Rob May, Director
Community Development & Planning

Telephone: (847) 596-8670
Facsimile: (847) 578-7437

U.S. EPA Region 5

John J. O'Grady

US EPA RECORDS CENTER REGION 5



400279

E-mail robmay@NorthChicago.org

Legal Counsel

- Robert J. Long
Law Offices of Daniels, Long & Pinsel
19 North County Street
Waukegan, IL 60085

Telephone: 847.623.5900

Facsimile: 847.623.1767

3) Topics Discussed:

- Potential redevelopment of the Fansteel and R. Lavin & Sons properties by the City of North Chicago. The City has been approached by the bankruptcy creditors to accept property transfer for \$1.00.
- The questions and concerns of the city included who funds the cleanup, how much will the cleanup cost, how long does it take, liability, etc.
- I assured the City of the U.S. EPA's cooperation, and that it would be possible, depending upon details, to "stage" the cleanup in order to allow development of the properties, while still conducting cleanup on other portions of the site(s).

4) FOLLOW-UP BY CITY:

- The city will follow-up with Tom Krueger regarding general information about the new Brownfields legislation, as well as any particular legal issues pertaining to the Fansteel bankruptcy.
- Cynthia Kawakami may be contacted regarding the R. Lavin & Sons bankruptcy.

5) FOLLOW-UP BY U.S. EPA:

- John O'Grady will follow-up with Fansteel regarding the completion of the EE/CA for the Fansteel property. **(DONE!)**

John J. O'Grady
Remedial Project Manager
Telephone: 312.886.1477
E-mail: ogrady.johnj@epa.gov

End of message

=====

O'Grady's AVAILABILITY: I will be in the office the following days over the next couple weeks.

<u>Day</u>	<u>Date</u>
Monday	08/05/02
Tuesday	08/06/02
Wednesday	08/07/02
Thursday	08/08/02
Friday	08/09/02

Monday 08/12/02
Thursday 08/15/02

Monday 08/19/02
Thursday 08/22/02
Friday 08/23/02

Monday 08/26/02
Tuesday 08/27/02

Tuesday 09/03/02
Thursday 09/05/02
Friday 09/06/02

BY THE WAY, I believe that Jeff Jeep is the attorney who worked for (perhaps still does) EMCO Chemical Company. Tom Krueger and I dealt with him on the Vacant Lot property (adjacent to Fansteel, which is adjacent to R. Lavin & Sons).

Briefing papers attached.



FANSTEEL BRIEFING wp R LAVIN BRIEFING wp VACANT LOT BRIEFING wp

John J. O'Grady
Remedial Project Manager
U.S. EPA Region 5 Superfund Division

Telephone: 312.886.1477
Facsimile: 312.886.4071
E-mail: ogrady.johnj@epa.gov

Cynthia Kawakami

Cynthia Kawakami
08/06/2002 11:00
AM

To: JohnJ OGrady/R5/USEPA/US@EPA
cc:
Subject: R. Lavin Property

John, attached is the last message that I received from Jeff Jeep, the attorney for the City of North Chicago, regarding the R. Lavin & Sons Site. He is trying to set up a meeting with U.S. EPA and a number of other agencies that are involved with the Site. Following this message, I will forward to you two additional e-mail messages -- a copy of an e-mail message from Dave Ullrich to Tom Skinner, and a copy of my email message to Jeep. Please let me know if you would like to attend any meeting that is eventually set up with the City. Thanks. Cynthia
----- Forwarded by Cynthia Kawakami/R5/USEPA/US on 08/06/02 10 56 AM -----



"Jeffery D. Jeep"
<jdjeep@ameritech.net>

07/25/02 05:39 PM
Please respond to
jdjeep

To: Cynthia Kawakami/R5/USEPA/US@EPA
cc: Ed Kelly <ed.kelly@mail.house.gov>, Robert Long
<bob7long@ind.com>, Rob May <robmay@northchicago.org>,
Bette Thomas <bettho@northchicago.com>, Robert Darnell
<robert.darnell@usdoj.gov>, Christine Bucko
<cbucko@atg.state.il.us>, sobel.perry@hq.navy.mil, Georgia
Vlahos <Georgia.Vlahos@cnet.navy.mil>
Subject: R. Lavin Property

<< >>

Dear Cynthia,

I am following-up on my voice mail this morning and at the suggestion of Ed Kelly, from Congressman Kirk's office, who has been in touch with the office of congressional liaison at Region V of the USEPA. You will recall that I circulated an email on July 9 (enclosed for your convenience). The responses we received were disappointing. The IEPA, USEPA and Navy are unable to meet until after 8/13/02.

The City of North Chicago has a developer that is ready to redevelop the Lavin property. The City will lose this opportunity if the City does not take title to the Lavin property in the very near future. Time is of the essence. In order for the redevelopment project to move forward, the City needs to know whether the IEPA or USEPA will institute judicial or administrative proceedings against the City if the City takes title to the Lavin property.

Given the limited resources of the bankruptcy estate, the most effective means to stabilize environmental conditions at the Lavin property (absent an infusion of cash from the State or United States) is for the City to move forward with its redevelopment plan. At present, the United States and State are pursuing claims against the bankruptcy estate for violations of various state and federal environmental laws, including CERCLA, RCRA and the Clean Water Act. The City does not question that the United States and State have legitimate claims against the bankruptcy estate. Given the limited resources of the estate, however, the City does question whether pursuit of those claims is the most effective means of stabilizing environmental conditions at, and facilitating the redevelopment of, the Lavin property. Candidly, we fear the current strategy will only squander the meager assets of the estate on legal fees and result in the abandonment of the Lavin property. Worse, a strategy which places too strong an emphasis on litigation will result in the City losing an historic opportunity and gaining an environmental mess when the USEPA and IEPA move on to other matters.

The City, State and United States need to work together. The City hopes that we will meet soon. We also hope that the purpose of the meeting will be more than for the IEPA and USEPA to update the City on what they are doing. We hope the meeting will result in a common strategy to achieve our mutual objectives.

Vacations schedules aside, can we try to meet in the next 10 days?

Please give me a call at your earliest convenience.

Jeffery D Jeep

Principal

The Jeff Diver Group, L.L.C.

1749 S Naperville Road

Suite 102

Wheaton, IL 60187

Office (630) 681-2530

Fax (630) 690-2812

Mobile (847) 209-3881

jdjeep@ameritech.net

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----- Message from "Michelle Cassell" <mcasselljdg@ameritech.net> on Tue, 9 Jul 2002 14:42:20 -0500 -----

To: "Georgia Vlahos" <georgia.vlahos@cnet.navy.mil>, "Christine Bucko" <cbucko@atg.state.il.us>

Subject: FW: Strategy Regarding Cleanup and Redevelopment of the Lavin Property in North Chicago, Illinois

To: Don Gimbel, IEPA via email
Robert Darnell, Department of Justice via email
Cynthia Kawakami, USEPA via email
Chris Bucko, Illinois Attorney General via fax
Georgia Vlahos, US Navy via email

From: Jeff Jeep, Special Environmental Counsel for the City of North Chicago

CC: Bette Thomas, Mayor of the City of North Chicago
Rob May, Community Development Director, City of North Chicago

Date: July 9, 2002

Subject: Cleanup and Redevelopment of the Lavin Property in North Chicago, Illinois

Mayor Thomas believes it would be productive for the City, Navy, IEPA and USEPA to meet as soon as possible to develop a common strategy for

the cleanup and redevelopment of the Lavin property. The Mayor believes it is important that the various governmental bodies clearly state their goals and concerns with respect to the Lavin Property. It is the Mayor's hope that the meeting will result in an agreed strategy and schedule for achieving common goals.

I spoke with Georgia Vlahos at the Navy today. Georgia will return from vacation on August 5, 2002. Georgia stated that she is the only person at the Navy who understands the environmental issues at the Lavin Property. She asked that we meet after August 5.

The redevelopment of the Lavin property is a matter of urgent concern to the City. The City would therefore prefer that the meeting occur before August 5. The City is concerned that if we try to accommodate every vacation schedule the meeting will not occur until September. Our first meeting may merely be the first. The sooner we get started the better.

The Mayor is available to meet at the North Chicago City Hall on July 17 at 10 AM or July 19 after 1 PM. Please let us know whether you are available to meet on these dates. If not, please propose alternative dates and/or meeting locations. Also, please invite other individuals at IEPA/USEPA to the meeting as you deem appropriate.

The City does not think it appropriate to invite representatives from Creditors Committee or potential developers to this initial meeting.

Does the IEPA, USEPA or Navy have any reports or data concerning environmental conditions on the Lavin property which the City should review before the meeting? If so, please provide us with copies.

Your prompt reply would be appreciated.

Thank you

Jeffery D. Jeep
The Jeff Diver Group, L.L.C.
1749 S. Naperville Road
Suite 102
Wheaton, IL 60187
(630) 681-2530
Fax: (630) 690-2812
jdjeep@ameritech.net

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